

EXHIBIT C



JER CAMPBELL
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
VICTIM COMPENSATION AND ASSISTANCE DIVISION
ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

(617) 727-2200
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August 26, 2024

Kirby V. Browning
401 Flint Ave. Apt.#216
Albany, GA 31701-5002

61317

Kirby V. Browning

Kirby V. Browning:

This office has reviewed your claim for compensation for injuries resulting from a violent crime. Based on a review of your application and the police report associated with the underlying crime, it has been determined that your claim is not eligible for compensation because the crime for which you seek compensation occurred more than three years prior to your application.

In order for a claim for compensation to be eligible, General Law c. 258C, Sec. 5(a)(1) of the Victims of Violent Crime Compensation Act states that: "[a] claim for compensation under this chapter shall be filed within three years of the date of the crime."

Your application for victim compensation was received on 7/12/2023 for a crime that occurred on 9/1/1964, which is beyond the three-year filing period. Additionally, General Law c. 258C, Sec. 1 defines crime as "...an act occurring within the Commonwealth" and the reported crime(s) occurred in Maine. Accordingly, your claim has been denied.

If you wish to appeal this decision, you have the right to request an administrative reconsideration by the Program Director and/or to petition the District Court Department for judicial review of this decision. These rights are described in greater detail in the "Right to Contest Notice of Award or Denial" enclosed with this letter. Please review this information carefully if you are considering an appeal.

We regret that the statute does not permit compensation in your circumstance. If we can be of assistance in directing you to other crime victim services, please contact the Division.

Sincerely,



Viola Kaci
Claims Advocate
Victim Compensation and Assistance Division
617-963-2152 (T)
617-742-6262 (F)

Enclosure: Right to Contest Notice of Award or Denial



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VICTIM COMPENSATION AND ASSISTANCE DIVISION

RIGHT TO CONTEST NOTICE OF AWARD OR DENIAL

G.L. c. 258C, the Victims of Violent Crime Compensation Act, provides for certain rights of review and appeal by a claimant whose claim for compensation has been denied in whole or in part.

There are two ways you can seek review of the Program Director's decision. The first is through administrative review by the Program Director of the Victim Compensation and Assistance Division. The second is through the District Court.

1. Administrative Review/Request for Reconsideration by Program Director

You have the right to request a reconsideration of the Program Director's decision of award or denial. A request for reconsideration must be made in writing to the Program Director of the Victim Compensation and Assistance Division, and postmarked no later than twenty (20) days after the date on the Notice of Award or Denial. G.L. c. 258C, § 8(a). If you file such a request, the Program Director will reconsider the decision, and issue a Decision of Reconsideration within thirty (30) days of receipt of your request for reconsideration.

In order to file a request for administrative reconsideration, please use the attached form, and submit any additional information that you think the Program Director should consider.

2. Judicial Review

You can also petition for review of the Program Director's decision by a judge of the District Court Department of the Trial Court. You can do this in either of the following ways:

First, within thirty (30) days of the date of mailing of the Notice of Award or Denial by the Program Director, you may file a petition for judicial review in the district court within the judicial district in which you reside or, if you are not a resident of the Commonwealth, in the Boston Municipal Court. G.L. c. 258C, § 9.

Second, if you request administrative reconsideration of the Notice of Award or Denial by the Program Director (described above), and, if you are dissatisfied with the decision of reconsideration, you may file a petition for judicial review of the Decision of Reconsideration. This petition must be filed within thirty (30) days of the date of the Program Director's Decision of Reconsideration. It must be filed in the district court within the judicial district in which you reside, or, if you are not a resident of the Commonwealth, in the Boston Municipal Court. G.L. c. 258C, § 9.

If a petition is filed within the time specified, the decision of the Program Director is final.